



**US Army Corps  
of Engineers.**

Vicksburg District  
4155 Clay Street  
Vicksburg, MS 39183-3435  
www.mvk.usace.army.mil



# Public Notice

APPLICATION NO.: ADS-MVK-2005-1536  
EVALUATOR: Mr. Arel D. Simpson  
PHONE NO.: (601) 631-5996  
FAX NO.: (601) 631-5459  
E-MAIL: regulatory@mvk02.usace.army.mil  
DATE: January 31, 2007  
EXPIRATION DATE: February 21, 2007

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District and the Mississippi Department of Environmental Quality are considering an application for a Department of the Army Permit and State Water Quality Certification for the work described herein. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F and the Mississippi Department of Environmental Quality at Post Office Box 10385, Jackson, MS 39289-0385, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:  
Mr. John Jordan  
Neel-Schaffer, Incorporated  
Post Office Box 22625  
Jackson, Mississippi  
39225-2625

Name of Agent:  
Mr. Keith O'Keefe, P.E.  
Neel-Schaffer, Inc.  
Post Office Box 22625  
Jackson, Mississippi  
39225-2625

Location of Work: Section 25, T8N-R2E, latitude 32°30'42"N, longitude 90°02'56"W, within the Little Bear Creek Drainage Basin, Madison County, near Gluckstadt, Mississippi.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to place dredged/fill material in wetlands associated with the development of a residential subdivision.

The proposed site contains approximately 47.93 acres. The site had a large pond located near the center that was drained by previous landowners. The lake was not affiliated with any known National Resource Conservation Service project.

The proposed project would involve mechanical clearing and filling of 0.38 acre of forested wetland and 6.76 acres of other waters of the United States. The typical residential lot would cover approximately a quarter acre with fill material depths ranging from 0.0 to 4.0 feet. The typical roadway cross section would be a 24-foot wide bituminous paved section with 2-foot wide concrete curbs and gutters. The roadway would have fill material depths ranging from 0.0 to 2.0 feet.

Approximately 2,850 cubic yards of silty loam fill material from on-site locations would be used as fill material in the wetlands. Soils at the project site are mapped as Bryam and Ariel silt loam.

The vegetation at the project site consists of black willow, Chinese tallow-tree, green ash, soft rush, cattail, and smartweed.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Madison County, Mississippi listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be

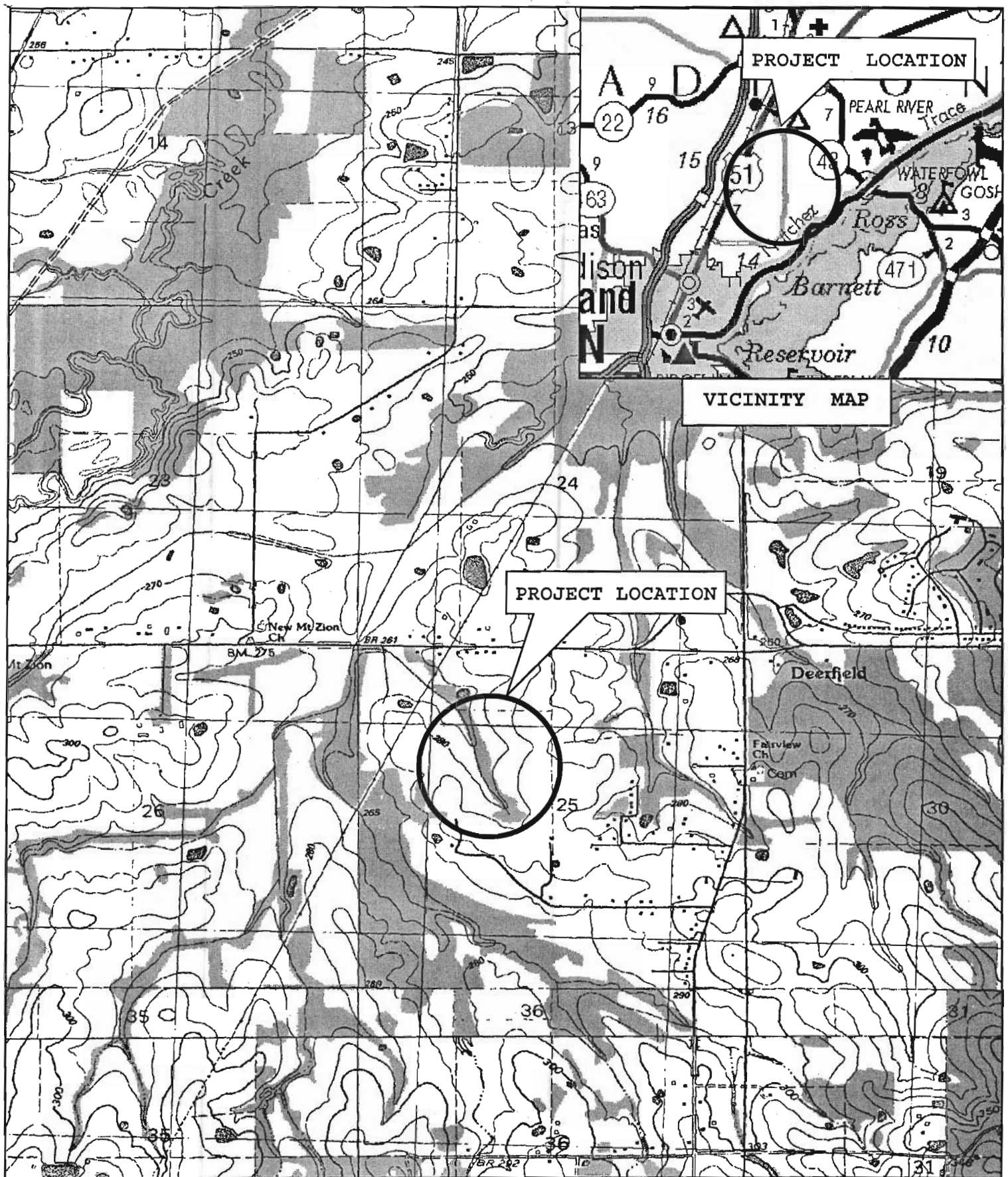
interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at [http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/Monthly Notice/pnmain.asp](http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp).



Anne S. Woerner  
Acting Chief, Evaluation Section  
Regulatory Branch

# SWEETBRIAR RESIDENTIAL SUBDIVISION



CANTON QUAD

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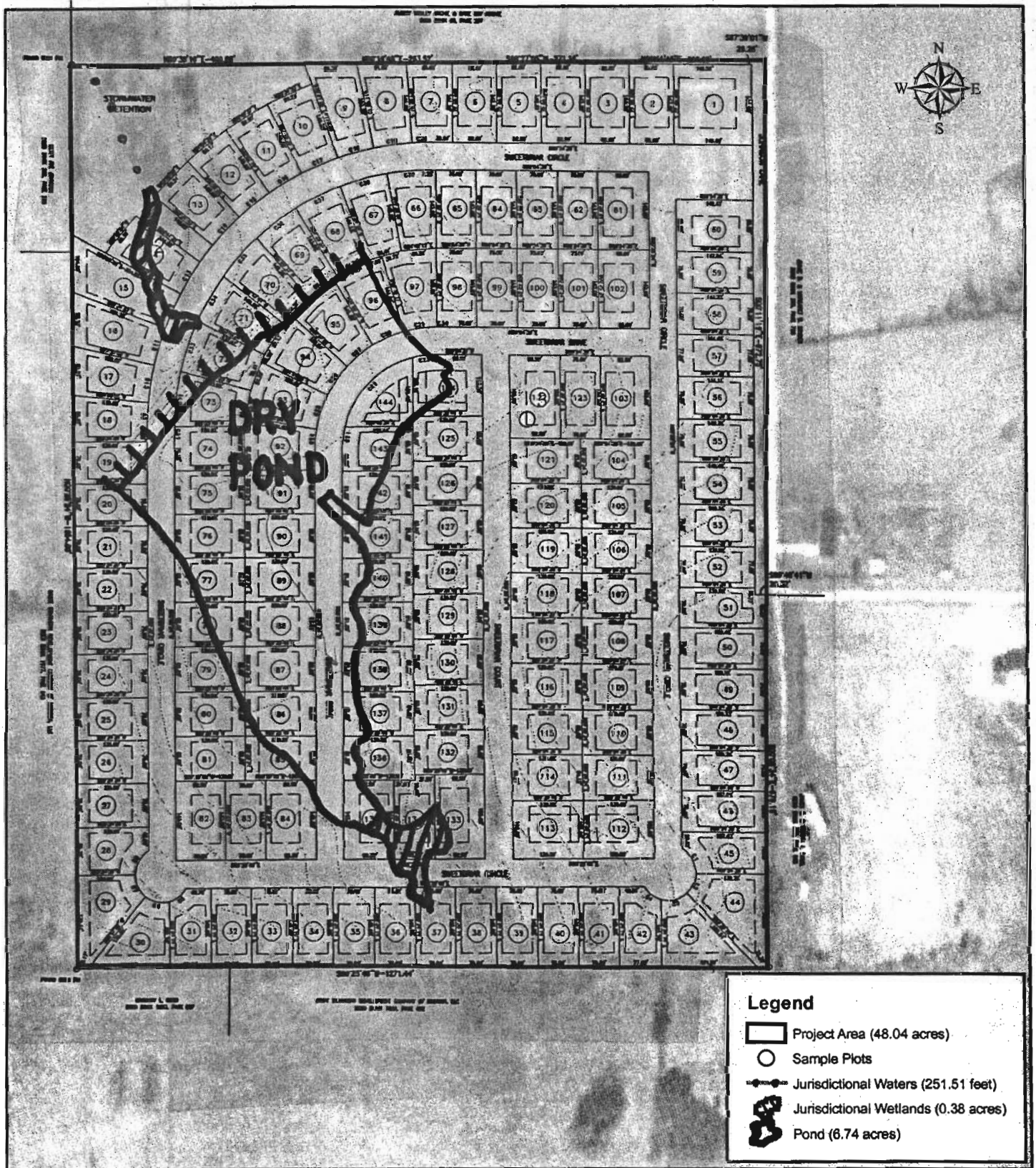


CEMVK-OD-FE ADS-MVK-2005-1536

MR. JOHN JORDAN

NEEL-SCHAFFER INCORPORATED

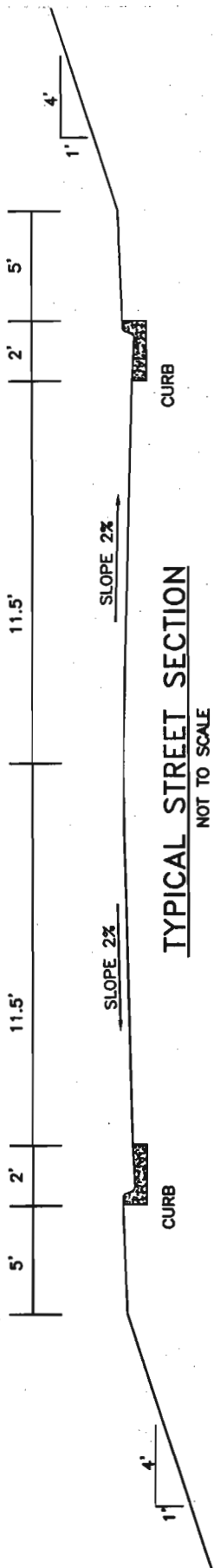
Figure 3. Potential Jurisdictional Areas in Project Area



Environmental Research Group, LLC.

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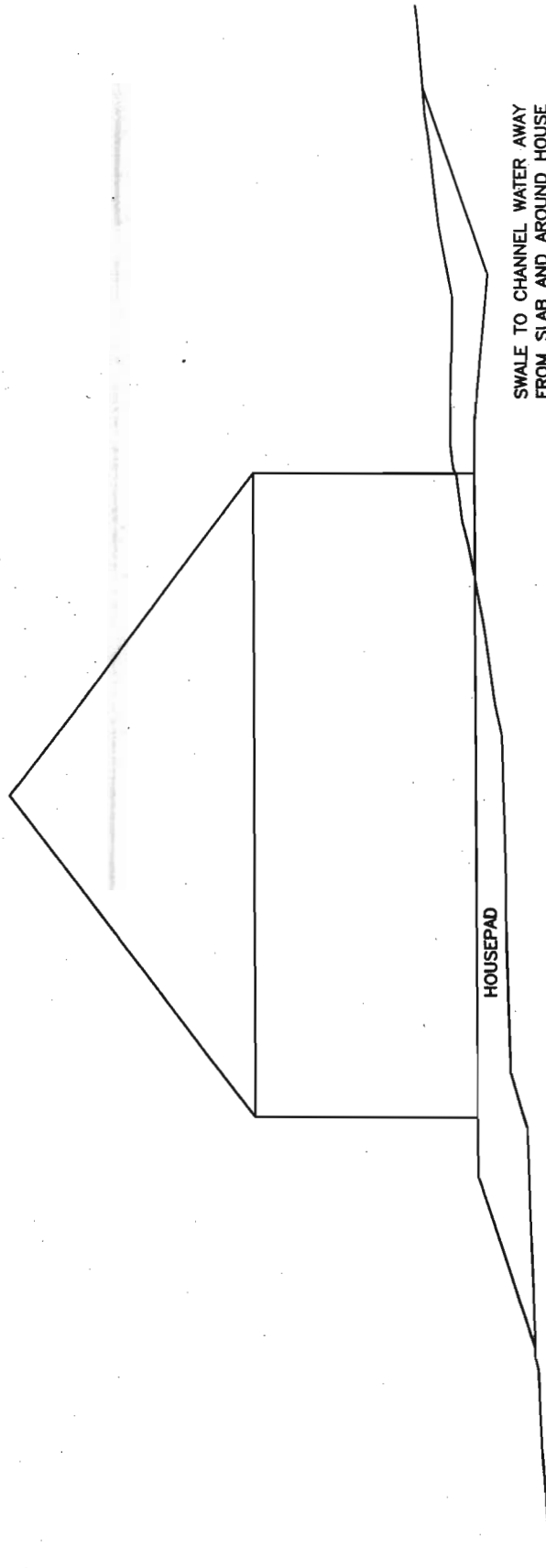


### TYPICAL STREET SECTION

NOT TO SCALE

ON-SITE MATERIAL TO BE USED FOR CUT/FILL  
STREET TO RANGE BETWEEN 3' CUT AND 2' FILL.

NOTE: TYPICAL SECTIONS PROVIDED BY  
BANKS ENGINEERING & SURVEYING, INC.  
MADISON, MISSISSIPPI



### TYPICAL HOUSE LOT SECTION

NOT TO SCALE

HOUSEPAD TO BE ON-SITE MATERIAL OR  
HAULED-IN BORROW MATERIAL  
PADS TO RANGE FROM 4' FILL TO 1' CUT

SWALE TO CHANNEL WATER AWAY  
FROM SLAB AND AROUND HOUSE

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